

PROB 12B
(7/93)

Report Date: April 26, 2010

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

APR 29 2010

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Richard Raya

Case Number: 2:06CR00035-005

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: 9/12/2006

Type of Supervision: Supervised Release

Original Offense: Conspiracy to Distribute 5
Kilograms or More of Cocaine, 21 U.S.C. § 846

Date Supervision Commenced: 1/8/2010

Original Sentence: Prison - 63 Months; TSR - 36
Months

Date Supervision Expires: 1/7/2013

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 17 You shall complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement absent further order of the Court. You shall allow reciprocal release of information between the supervising officer and treatment provider. You shall contribute to the cost of treatment according to your ability to pay.

CAUSE

Richard Raya violated the conditions of his supervised release by assaulting an unidentified male patron at Ichabod's East bar, located in Spokane Valley, Washington. On April 21, 2010, Mr. Raya appeared in the U.S. Probation Office and self-reported that he punched a patron in the face while at the above-referenced bar. In elaborating, Mr. Raya indicated that while observing his wife in conversation with the male patron, he noticed she was becoming agitated. He claims that the male reached into his pocket, causing him to react by physically assaulting him out of fear for his safety. A criminal records check conducted during the in-office contact with Mr. Raya did not reveal any law enforcement contact as a result of the incident.

The undersigned officer verbally reprimanded Mr. Raya and asked if he is in need of counseling. Mr. Raya denied any problems with illicit substances, however, admitted that he is experiencing relationship problems with his wife. Richard Raya expressed a need for mental health counseling to address unresolved issues between he and his wife.

In an attempt to provide federal funding, if necessary, it is requested that the Court modify the conditions of supervision to include the aforementioned condition.

Mr. Raya was asked whether he would waive his right to a hearing and agree to the modification as previously described. As indicated by the enclosed waiver of hearing to modify conditions of supervised release form, Mr. Raya has agreed to the proposed modification.

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It is respectfully recommended that the attached waiver of hearing to modify conditions of supervision be adopted requiring Richard Raya to participate in mental health treatment at the direction of the probation office.

I declare under penalty of perjury that the foregoing is true and correct.

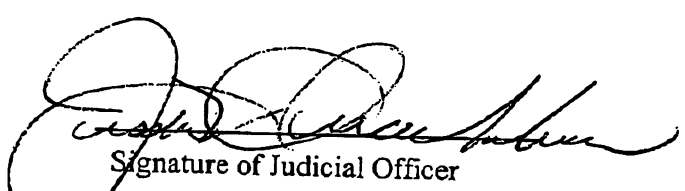
Executed on: 04/26/2010

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


Signature of Judicial Officer

April 29, 2010
Date